

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

ROY MITCHELL,

Plaintiff,

ORDER

v.

15-cv-108-wmc

EDWARD F. WALL, *et al.*,

Defendants.

Former state inmate Roy Mitchell filed this civil action pursuant to 42 U.S.C. § 1983, concerning the conditions of his confinement at the Columbia Correctional Institution. Specifically, Mitchell contends that he was denied adequate treatment for Gender Identity Disorder or Gender Dysphoria while incarcerated. Mitchell has now filed a motion seeking a temporary restraining order or preliminary injunctive relief from the conditions of his release from prison on extended supervision. Mitchell, who identifies as a transgender female, seeks relief in particular from a requirement imposed by parole agents that he reside at a particular shelter designated for men. The motion must be denied for three reasons, as set forth below.

First, Mitchell has failed to comply with governing procedures found in Fed. R. Civ. P. 65 and local rules on motions for injunctive relief in this district by showing that he has given notice to the opposing party or by providing a stipulation or statement of proposed facts in support of his request.¹ Second, Mitchell's request for a preliminary injunction does not implicate the merits of his underlying complaint regarding the medical care he received at CCI, and are not properly joined with this lawsuit. *See, e.g., Chicago Regional Council of Carpenters v. Village of Schaumburg*, 644 F.3d 353, 356 (7th Cir. 2011) (A plaintiff seeking

injunctive relief “must . . . ground its right to relief on events described in the complaint, not on matters that arise later.”). Third, Mitchell does not otherwise meet the low threshold showing that he is likely to succeed on the merits, that he has no adequate remedy at law, and that he is likely to suffer irreparable harm in the absence of preliminary relief. *See Planned Parenthood of Indiana, Inc. v. Comm’r of the Indiana State Dep’t of Health*, 699 F.3d 962, 972 (7th Cir. 2012) (citations omitted). Under these circumstances, the motion will be denied.

ORDER

IT IS ORDERED that Roy Mitchell’s motion for a temporary restraining order or preliminary injunction (dkt. # 5) is DENIED.

Entered this 8th day of April, 2015.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge

¹ The court’s written *Procedures to be Followed on Motions for Injunctive Relief* are available from the Clerk’s Office upon request.